



Brian Rice <brian.rice@legalist.com>

PDGP - sale of Lot 1A + Bubba's lease to LPC (GF 7434-GC-2022)

1 message

Jeff Carruth <jcarruth@wkpz.com>

Tue, Apr 12, 2022 at 5:38 PM

To: Brian Rice <brian.rice@legalist.com>, Zach Campbell <zach@legalist.com>

Cc: "Michael Dixson (mdixson@pdgmn.com)" <mdixson@pdgmn.com>, Jasmine Esnyder <jesnyder@pdgmn.com>, Jeff Carruth <jcarruth@wkpz.com>

Zach and Brian –

Attached are (1) a proposed form of partial release for the pending closing of the sale of Lot 1A in Las Cruces and (2) a FedEx label to Title.

Please execute and notarize the release and send to title pending closing.

Thank you, and please advise if you have questions.

Jeff Carruth

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K

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Z

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2 attachments

 **partial release of Legalist lien - Lot 1A - CLEAN 20220412 (2124925x1071EA).PDF**
137K

 **fedEx to Title Company.pdf**
91K

**RELEASE OF LIEN GRANTED PURSUANT TO
BANKRUPTCY COURT ORDER
(WITH RESPECT TO LOT 1A ONLY)**

STATE OF NEW MEXICO §§
DONA ANA COUNTY §

Party Information and Defined Terms. The following descriptions below shall also constitute defined terms which may be used throughout this instrument. Additional terms may be defined below.

Date: April ___, 2022

Lender: Legalist DIP GP, LLC, a Delaware limited liability company
as general partner of
Legalist DIP Fund I, LP a Delaware limited partnership
and Legalist DIP SPV II, LP a Delaware limited partnership

Lender's Address: c/o Legalist, Inc.
10120 W. Flamingo Rd., Ste. 4, No. 3015
Las Vegas, NV 89147

Debtor: PDG Prestige, Inc.
a Texas corporation

Debtor's Address: 154 N. Festival Dr., Suite D
El Paso, TX 79912

Judicial Lien: The liens contained in that certain *Final Order Granting Motion of Debtor to (I) Enter into Debtor Possession Credit Agreement, (II) Grant Priming Liens Under Code Sec. 364(D), and (III) Provide Related Relief* (Docket No. 43) (the “**DIP Order**”) entered on April 12, 2021 in Case No. 21-30107, *In re: PDG Prestige, Inc.*, in the United States District Court for the Western District of Texas, El Paso Division.

Subject Property: The property that is the subject of this Release is referenced and described in **Exhibit 001**.

For good and value consideration, the receipt and sufficiency of which are acknowledged by the Lender and the Debtor, the Lender has released and relinquished and discharges, and does by these presents release and relinquish and discharge unto Debtor, its successors, its assigns, and their successors and assigns, the above-described Judicial Lien with respect to the Subject Property, only.

It is expressly agreed and understood that this is a release of lien ***only with respect to the Subject Property*** and that the same shall in no way release, affect, or impair said Judicial Lien against any other property.

The Judicial Lien remains and shall remain in full force in effect with respect to all other referenced and described collateral in the Judicial Lien and/or DIP Order unless and until separately and expressly released by the Lender.

{continued on following page}

**LEGALIST DIP FUND I, LP AND
LEGALIST DIP SPV II, LP**

BY: ITS GENERAL PARTNER

LEGALIST DIP GP, LLC

By: _____

NAME: CHRISTIAN G.B. HAIGH

TITLE: MANAGING MEMBER

THE STATE OF _____

§

§

_____ COUNTY

§

Before me, a Notary Public in and for this state, on this April __, 2022, personally appeared _____ and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Notary Public, State of _____

{continued on following page}

EXHIBIT 001

**EXHIBIT “A”
Property Description**

Closing Date: April 18, 2022

Buyer(s): LPC Retail, LLC

Property Address: 510 South Telshor Boulevard, Las Cruces, NM 88011

PROPERTY DESCRIPTION:

Lot 1A, MESILLA VALLEY MALL SUBDIVISION REPLAT NO. 5, in the City of Las Cruces, Dona Ana County, New Mexico, as shown and designated on the plat thereof, filed in the office of the County Clerk of said County on August 19, 2020, in Book 24 Page(s) 581-582 of Plat Records.

print your label to your laser or inkjet printer.
x it to your shipment so that the barcode portion of the label can be read and scanned.
label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in
cancellation of your FedEx account number.
ement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not
an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx
er from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit,
of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the
not exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry,
and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current

ORIGIN ID:FWHA (817) 795-5046
JEFF CARRUTH
WEYCER KAPLAN PULASKI & ZUBER
3030 MATLOCK RD., STE. 201
ARLINGTON, TX 76015
UNITED STATES US

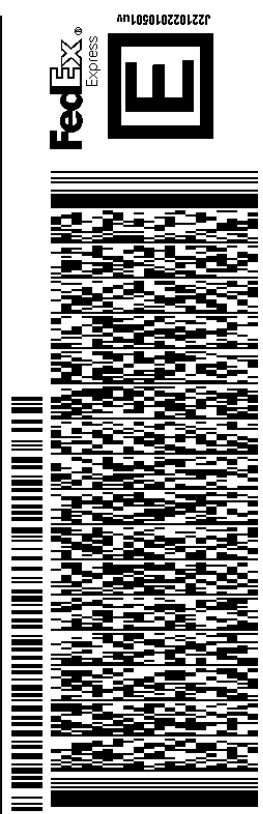
SHIP DATE: 12APR22
ACTWGT: 0.50 LB
CAD: 107361802/INET4460

BILL SENDER

TO **GRICEL CHAVEZ**
SOUTHWESTERN ABSTRACT & TITLE CO.
1125 S MAIN ST

LAS CRUCES NM 88005
(575) 523-8561
INV: REF: PDG001 0004
PO: DEPT:

56DJ2/BDF9/FE4A



TRK# **7765 6394 9729**
0201

WED - 13 APR 10:30A
PRIORITY OVERNIGHT

AT LRUA

88005
ELP
NM-US

